

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:06CV69-3-MU**

MARION EDWARD PEARSON,)
)
 Petitioner,)
)
 v.)
)
THEODIS BECK,)
 Respondent.)

)

ORDER

THIS MATTER is before the Court on Petitioner's "Motion for Release Pending Appellate Review" filed April 23, 2009 (Document No. 74.) On April 24, 2009, the Fourth Circuit Court of Appeals issued an unpublished opinion dismissing Petitioner's appeal. Therefore, Petitioner's motion for release pending appeal is denied as moot.

NOW, THEREFORE, IT IS HEREBY ORDERED that the Petitioner's motion for release pending appellate review is denied as moot.

SO ORDERED.

Signed: April 24, 2009



Graham C. Mullen
United States District Judge

